

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

RIVERSIDE UNIFIED SCHOOL  
DISTRICT.

OAH CASE NO. 2010120466

ORDER GRANTING MOTION TO  
AMEND COMPLAINT

On December 14, 2010, Student filed a Due Process Hearing Request (complaint), naming District. On January 3, 2010, Student filed a Motion to Amend the Due Process Hearing Complaint (amended complaint), but the faxed motion was incomplete. OAH notified Student, and on January 11, 2011, Student filed a complete copy of the motion. District, who received the full motion on January 3, 2011, did not oppose Student's request.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. §1415(c)(2)(E)(i)(II).)<sup>1</sup> The filing of an amended complaint restarts the applicable timelines for the due process hearing. (§1415(f)(1)(B).)

Student seeks to add specific references to services provided by Student's parents.

The motion to amend is timely and is granted. The amended complaint shall be deemed filed on the date of this order. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

Dated: January 12, 2011

/s/

DEBORAH MYERS-CREGAR  
Administrative Law Judge  
Office of Administrative Hearings

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<sup>1</sup> All statutory citations are to Title 20 United States Code unless otherwise indicated.